

Gambling Act 2005

Application Pack - Premises Licence

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Gambling Act 2005 - Contact Details

Woking Borough Council Licensing Department

Send your completed application form to, or contact us if you have any questions at:

The Licensing Department
Woking Borough Council
Civic Offices
Gloucester Square
Woking
GU21 6YL

Telephone: **01483 755855**

Email: licensing@woking.gov.uk

Cheques should be made payable to '**Woking Borough Council**'

The Gambling Commission

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Tel: 0121 230 6666

Fax: 0121 230 6720

website: www.gamblingcommission.gov.uk

email: info@gamblingcommission.gov.uk

Department for Culture Media & Sport

2-4 Cockspur Street
London
SW1Y 5DH

Telephone: General Enquiries 020 7211 6200

website: www.culture.gov.uk email: enquiries@culture.gov.uk

Local Newspapers (For Public Notice of Applications)

Woking News and Mail
Telephone: 01483 802700
<https://www.wokingnewsandmail.co.uk>

Woking Advertiser
Telephone: 01483 508700
<https://www.getsurrey.co.uk/contact-us/>

PLEASE NOTE: This pack provides advice based on information available at the time of writing, which may change. It is intended for guidance only and does not provide authoritative legal advice.

GAMBLING ACT 2005

PREMISES LICENCES

APPLICATION PROCESS – A SUMMARY

1. If you wish to operate a premises where gambling takes place you will need to get a licence from the Council under the Gambling Act 2005.
2. You will need to complete the appropriate application form (Form GP1) and submit it to the Council with the following:
 - a. The correct fee;
 - b. A plan of the premises.
3. in addition you will need to:
 - a. Complete and send a Notice of Application to the appropriate Responsible Authorities (Form GPN2 for individual applicants or GPN3 for joint applicants);
 - b. Advertise the application in a local newspaper and on the premises (Form GPN1)
4. There is a 28-day consultation process during which representations may be made to the Council about your application. If representations are received it will be necessary for the Council to hold a committee hearing to determine the application.
5. If there are no representations during the consultation period a new licence will be automatically granted.

Gambling Act 2005

Premises Licences - Overview

PREMISES LICENCES

1. Premises licences are required in respect of specific premises where an individual or company proposes to offer premises based gambling. They are issued by the licensing authority with responsibility for the area in which the premises is located. An application for a premises licence may be made to a licensing authority at the same time as an application for an operating licence is made to the Gambling Commission. A premises licence cannot generally be issued until the Commission has issued an operating licence to the individual or company.
2. A premises licence, once issued, will be of unlimited duration unless and until it ceases to have effect if for example, the licence is revoked by the licensing authority, or is surrendered by the holder or lapses due to death or bankruptcy.
3. In accordance with section 150 of the Act, premises licences can be issued to the following premises:
 - casinos
 - bingo halls
 - adult gaming centres
 - family entertainment centres
 - betting premises
4. Only one premises licence may be issued for any particular premises at any time, although the licence may authorise more than one type of gambling. Tracks have an exemption to this rule, as they may be subject to more than one premises licence, as long as the licence applies to a specific area of the track. In this instance, the owner of the track does not have to apply for an operator's licence.

VESSELS AND VEHICLES

1. The Act permits premises licences to be granted for passenger vessels, defined as anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water, a hovercraft or anything, or part of any place, situated on or in water. This enables vessels such as pleasure boats and floating restaurants to apply for premises licences. Premises licences may not be issued in respect of vessels that are not passenger vessels.
2. It should be noted that gambling is not a licensable activity if it takes place aboard a vessel engaged on an international journey. This therefore included cross channel ferries. In the case of aircraft, no offence occurs if the gambling takes place in international airspace.
3. Vehicles (trains, aircraft, cars etc.) are not entitled to hold a premises licence and therefore all forms of commercial betting and gaming will be unlawful in a vehicle in Great Britain.
4. The relevant licensing authority which should consider an application for a premises licence for a vessel is the authority in which the vessel is permanently or usually moored or berthed. There are separate application forms for vessels.

APPLICATION FOR A PREMISES LICENCE

1. An application for a premises licence may only be made by persons:
 - who are over 18 years of age (this includes companies and partnerships)
 - have a right to occupy the premises
 - who hold, or have applied for, an operating licence authorising the proposed activities
2. Track owners who wish to offer betting facilities themselves, rather than through an on-course betting operator must apply for an operators licence.
3. The application must be accompanied by the prescribed fee and a plan of the premises.

GIVING NOTICE (*The following does not apply to 'Fast-Track' applications made during the transition period*)

1. Applicants are required to publish notice of their application and to notify the responsible authorities and other persons (interested parties) of their application.
2. This process enables representations to be made and considered by the licensing authority.
3. Notice must be given using the notice forms provided in Premises Licence and Provisional statement regulations; and must be given in the following ways:
 - Publish notice in a local newspaper at least once within 10 days of the application being made;
 - Publish notice outside the premises in a place where it can be conveniently read and is clearly visible;
 - Notice must be copied to all responsible authorities within 7 days of the application being made.
 - The notice period must last for 28 consecutive days, during which time representations can be given to the Licensing Authority in writing.
4. Where no representations are made, a licensing officer may determine the application and either grant or reject it. Where representations are made and not withdrawn by a responsible authority or interested party, a licensing committee must consider the application at a hearing. However, hearings do not need to be held if representations are frivolous, vexatious, and/or won't influence the licensing authority's determination of the application.

RESPONSIBLE AUTHORITIES, INTERESTED PARTIES & RELEVANT REPRESENTATIONS

1. The Act states that responsible authorities and interested parties have to be informed about an application for a premises licence. Definitions for both parties are below:

(a) Responsible authorities

are public bodies with an interest in the application. An abbreviated list is included below:

- A licensing authority in England and Wales in whose area the premises is wholly or partly situated
- The Gambling Commission
- The Police Authority
- The Fire and Rescue Authority
- The Planning Authority
- Environmental Health (or equivalent)
- A body designated in writing by the licensing authority as competent to advise about the protection of children from harm. - In our case the Police.
- HM Revenue and Customs
- Navigation authorities (Environment Agency, British Waterways Board, Maritime & Coastguard Agency) and the Secretary of State (for vessels only).

(b) Interested Parties

Persons who:

- Live sufficiently close to the premises to be likely to be affected by the authorised activities
- Have business interests that might be affected by the authorised activities
- Represent persons in either of these two groups.

Relevant Representations

1. As part of its consideration, a licensing authority must determine whether or not representations are admissible. A representation is inadmissible if it is not made by a responsible authority or interested party. After this, the authority must determine its relevance. The only representations that are likely to be relevant are those that:
 - raise issues under the Commission Guidance or codes of practice,
 - relate to the three licensing objectives i.e.:
 - preventing gambling from being a source of crime and disorder
 - ensuring gambling is fair and open
 - protecting children and other vulnerable persons from harm
 - raise issues regarding the authority's own licensing policy statement.
2. The Act contains no obligation for responsible authorities to respond to applications for premises licences if they do not wish to do so. Where relevant representations are made and not withdrawn by a responsible authority or interested party, a licensing committee must consider the application at a hearing.

The Decision

Licensing committees or officers have a range of options:

- grant a licence
- refuse an application;
- grant a licence with an adjustment to the default condition
- grant a licence but with an individual condition attached

LICENCE CONDITIONS

1. The Gambling Act provides for three types of condition to be attached to a premises licence:
 - Mandatory conditions
 - Default conditions
 - Individual conditions

Mandatory Conditions

2. Regulations have been made which give details of the conditions for each type of premises licence.
3. Mandatory conditions can only be removed by further regulations. A licensing authority has no power to remove or vary mandatory conditions.

Default conditions

4. Refer to opening hours of each premises only and are attached in the same way as mandatory conditions, however, they can be removed or replaced by licensing authorities (either on issue of a licence, or as a result of an application for a variation or review of a premises licence). Licensing authorities are free to limit or exclude them where appropriate; they should only be more rigorous where there is evidence of real need.
5. There are no default conditions for Adult Gaming Centres or Family Entertainment Centres.
6. Licensing authorities can attach individual conditions to a licence. Section 169 gives the licensing authority the power to attach a condition to a licence to respond to local situations, for example the need for CCTV. As with all other functions the power to attach individual conditions must be exercised in accordance with the principles set out in section 153 of the Act.

GRANTING A LICENCE

1. Before an application is granted, either by a licensing officer or following a committee hearing, the Licensing Authority must confirm that the applicant has been issued an operating licence

from the Gambling Commission for the activities to which the application for the premises licence relates. The officer must then give notice of the grant, using the form which has been prescribed, to the following:

- the applicant
- the Commission
- any persons who made representations under s.161
- the Chief Officer of Police (in England and Wales)
- HM Revenue and Customs

2. The Licensing Authority must then issue a premises licence to the applicant and provide the applicant with a summary of the terms and conditions of the licence. Again, both these documents have been prescribed in regulations.
3. The summary of the licence also forms the notice which must be displayed within the premises itself.
4. Where an application is rejected, the officer must give notice of the rejection to those persons listed in paragraph 1 above, and must give the authority's reasons for rejecting the application.

Woking Borough Council

Application for a premises licence under the Gambling Act 2005 (standard form)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

If you are completing this form by hand, please write legibly in block capitals using ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form for your records.

Where the application is—

- In respect of a vessel, or
- To convert an authorisation granted under the Betting, Gaming and Lotteries Act 1963 or the Gaming Act 1968,

the application should be made on the relevant form for that type of premises or application.

Part 1 – Type of premises licence applied for

Regional Casino	Large Casino	Small Casino
Bingo	Adult Gaming Centre	Family Entertainment Centre
Betting (Track)	Betting (Other)	

Do you hold a provisional statement in respect of the premises? Yes No

If the answer is “yes”, please give the unique reference number for the provisional statement (as set out at the top of the first page of the statement):

Part 2 – Applicant Details

If you are an individual, please fill in Section A. If the application is being made on behalf of an organisation (such as a company or partnership), please fill in Section B.

Section A

Individual applicant

1. Title: Mr Mrs Miss Ms Dr Other (please specify)

2. Surname: _____ Other name(s): _____

[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence]

3. Applicant's address (home or business – *[delete as appropriate]*):

Postcode:

4(a) The number of the applicant's operating licence (as set out in the operating licence):

4(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:

5. Tick the box if the application is being made by more than one person.

[Where there are further applicants, the information required in questions 1 to 4 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]

Section B

Application on behalf of an organisation

6. Name of applicant business or organisation:

[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence.]

7. The applicant's registered or principal address:

Postcode:

8(a) The number of the applicant's operating licence (as given in the operating licence):

8(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:

9. Tick the box if the application is being made by more than one organisation.

[Where there are further applicants, the information required in questions 6 to 8 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]

Part 3 – Premises Details

10. Proposed trading name to be used at the premises (if known):

11. Address of the premises (or, if none, give a description of the premises and their location):

Postcode:

12. Telephone number at premises (if known):

13. If the premises are in only a part of a building, please describe the nature of the building (for example, a shopping centre or office block). The description should include the number of floors within the building and the floor(s) on which the premises are located.

14(a) Are the premises situated in more than one licensing authority area?

Yes/No *[delete as appropriate]*

14(b). If the answer to question 14(a) is yes, please give the names of all the licensing authorities within whose area the premises are partly located, **other than the licensing authority to which this application is made:**

Part 4 – Times of operation

15(a). Do you want the licensing authority to exclude a default condition so that the premises may be used for longer periods than would otherwise be the case? Yes/No *[delete as appropriate]*
[Where the relevant kind of premises licence is not subject to any default conditions, the answer to this question will be no.]

15(b). If the answer to question 15(a) is yes, please complete the table below to indicate the times when you want the premises to be available for use under the premises licence.

	<i>Start (hh:mm)</i>	<i>Finish (hh:mm)</i>	<i>Details of any seasonal variation</i>
Mon			
Tue			
Wed			
Thurs			
Fri			
Sat			
Sun			

16. If you wish to apply for a premises licence with a condition restricting gambling to specific periods in a year, please state the periods below using calendar dates:

Part 5 – Miscellaneous

17. Proposed commencement date for licence (leave blank if you want the licence to commence as soon as it is issued):

18(a). Does the application relate to premises which are part of a track or other sporting venue which already has a premises licence? Yes/No *[delete as appropriate]*

18(b). If the answer to question 18(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application.

19(a). Do you hold any other premises licences that have been issued by this licensing authority? Yes/ No *[delete as appropriate]*

19(b). If the answer to question 19(a) is yes, please provide full details:

20. Please set out any other matters which you consider to be relevant to your application:

Part 6 – Declarations and Checklist (Please tick)

I/ We confirm that, to the best of my/ our knowledge, the information contained in this application is true. I/ We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to this application.

I/ We confirm that the applicant(s) have the right to occupy the premises.

Checklist:

- Payment of the appropriate fee has been made/is enclosed
- A plan of the premises is enclosed
- I/ we understand that if the above requirements are not complied with the application may be rejected
- I/ we understand that it is now necessary to advertise the application and give the appropriate notice to the responsible authorities

Part 7 – Signatures

21. Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature:

Print Name: _____

Date: _____

Capacity: _____

22. For joint applications, signature of 2nd applicant, or 2nd applicant's solicitor or other authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature:

Print Name: _____

Date: _____

Capacity: _____

[Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 21 and 22.]

[Where the application is to be submitted in an electronic form, the signature should be generated electronically and should be a copy of the person's written signature.]

Part 8 – Contact Details

23(a) Please give the name of a person who can be contacted about the application:

23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted:

24. Postal address for correspondence associated with this application:

Postcode:

25. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:

WOKING BOROUGH COUNCIL

GAMBLING ACT 2005 – DOCUMENTS TO ACCOMPANY APPLICATIONS

A. Plan To Accompany Applications For A Premises Licence

1. An application for a premises licence shall be accompanied by a scale plan of the premises to which the application relates which complies with the following provisions of this regulation.

The plan must show:

- (a) the extent of the boundary or perimeter of the premises;
- (b) where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building;
- (c) where the premises form part of a building, the location of any external or internal walls of the building which are included in the premises;
- (d) where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel, which are included in the premises;
- (e) the location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which the exit leads; and
- (f) any other matter required in accordance with the following provisions of this regulation.

Bingo

2. Where the application is for a bingo premises licence in respect of premises to which children or young persons will be permitted to have access, the plan must show:
 - (a) the location and extent of any part of the premises which will be used to provide facilities for gaming in reliance on the licence (other than those parts which include Category B or C gaming machines);
 - (b) the location and extent of any part of the premises in which Category B or C gaming machines will be made available for use in reliance on the licence;
 - (c) the nature and location of any barrier or other thing separating any part of the premises in which Category B or C gaming machines will be made available for use from any other part of the premises.

Adult Gaming Centre

3. Where the application is for an adult gaming centre premises licence, the plan must show the location and extent of any part of the premises in which gaming machines will be made available for use in reliance on the licence.

Family Entertainment Centre

4. Where the application is for a family entertainment centre premises licence, the plan must show:
 - (a) the location and extent of any part of the premises in which Category C gaming machines will be made available for use in reliance on the licence;
 - (b) the location and extent of any part of the premises in which Category D gaming machines will be made available for use in reliance on the licence; and

(c) the nature and location of any barrier or other thing separating any part of the premises in which Category C gaming machines will be made available for use from any other part of the premises.

Betting Premises

5. Where the application is for a betting premises licence, other than in respect of a track, the plan must show the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

Tracks

6. Where the application is for a betting premises licence in respect of a track, the plan must show:
- (a) the location and extent of any part of the premises which is a five times rule betting area;
 - (b) the location and extent of any other parts of the premises which will be used for providing facilities for betting in reliance on the licence;
 - (c) the location and extent of any part of the premises in which Category B or C gaming machines will be made available for use in reliance on the licence;
 - (d) the nature and location of any barrier or other thing separating any part of the premises in which Category B or C gaming machines will be made available for use from any other part of the premises.

Definitions:

(a) "betting operator" means a person who accepts or negotiates bets in the course of the business of the holder of a general betting operating licence or a pool betting operating licence;

(b) "five times betting rule area", in relation to a track, means any part of the track in respect of which, in accordance with conditions attached under section 167, the charge for admission to that part of the track payable by betting operators may not exceed five times the cost of the highest charge paid by members of the public who are authorised to enter that part of the track;

(c) "non-gambling area" means any part of the proposed casino:

(i) which will be made available to customers but will not be used for providing facilities for gambling, and

(ii) which, unless it is a lobby area or toilet facilities, will contain recreational facilities for use by customers on the premises;

(d) "partially automated gaming table" means equipment that would fall within the definition of gaming machine in section 235 but for its exclusion from that definition by subsection (2)(h) of that section;

(e) "table gaming area" means any part of the proposed casino which is to be used for:

(i) casino games played on gaming tables (including wholly or partially automated gaming tables); or

(ii) real games of equal chance, other than bingo, played on a table; and

(f) "wholly automated gaming table" means equipment that would fall within the definition of a gaming machine in section 235 but for its exclusion from that definition by subsection (2)(i) of that section.

B. Documents to accompany applications for a converted premises licence (fast track)

1. An application under section 159 for a converted premises licence shall be accompanied by:
 - (a) a copy of the equivalent permission under the existing legislation; or
 - (b) where the applicant is applying for but has not been granted the equivalent permission under the existing legislation, copies of the documents submitted by the applicant in applying for the permission.
2. Where an applicant is unable to comply with paragraph (1)(a) because it is not reasonably practicable for him to produce a copy of the relevant permission under the existing legislation, he must include with the application under section 159 a statement:
 - (a) explaining why it is not reasonably practicable to do so, and
 - (b) setting out the nature of the permission, the date on which it was granted and by whom.

Definition:

"the equivalent permission under the existing legislation", in relation to an application for a converted premises licence, means the licence or permit under the Betting, Gaming and Lotteries Act 1963^[4] or the Gaming Act 1968^[5]:

- (a) held by the applicant in respect of the premises to which the application relates, and
- (b) by virtue of which the applicant is entitled to be issued with a converted premises licence.

WOKING BOROUGH COUNCIL

GAMBLING ACT 2005 - MANDATORY AND DEFAULT CONDITIONS

A. ALL PREMISES**Mandatory Conditions Attaching To Every Premises Licence**

The conditions specified below shall be attached to every premises licence.

1. The summary of the terms and conditions of the premises licence shall be displayed in a prominent place within the premises.
2. The layout of the premises shall be maintained in accordance with the plan attached to the licence.
3. The premises shall not be used for:
 - (a) the sale of tickets in a private lottery or customer lottery, or
 - (b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited

B. BINGO PREMISES**Mandatory conditions attaching to bingo premises licences**

The conditions specified below shall be attached to bingo premises licences.

1. A notice stating that no person under the age of 18 years is permitted to play bingo on the premises shall be displayed in a prominent place at every entrance to the premises.
2. No customer shall be able to enter the premises directly from any other premises in respect of which one of the following permissions has effect
 - (a) a casino premises licence;
 - (b) an adult gaming centre premises licence;
 - (c) a betting premises licence other than a track premises licence; and
3.
 - (1) This paragraph shall apply where children or young persons or both are permitted by the licence holder to enter the premises, and Category B or C gaming machines are made available for use on the premises.
 - (2) Any area of the premises to which category B and C gaming machines are located
 - (a) shall be separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for the purpose;
 - (b) shall be supervised at all times to ensure children or young persons or both do not enter the area; and
 - (c) shall be arranged in such a way that ensures all parts of the area can be observed by the persons mentioned in sub-paragraph (3).
 - (3) The reference to supervision in this paragraph means supervision by
 - (a) one or more persons whose responsibilities include ensuring children or young persons or both do not enter the area; or
 - (b) closed circuit television which is monitored by one or more persons whose responsibilities include ensuring that children or young persons or both do not enter the area.
 - (4) A notice stating that no person under the age of 18 years is permitted to enter the area shall be displayed in a prominent place at the entrance to any area of the premises in which Category B or C gaming machines are made available for use.
4.
 - (1) In the case of a charge for admission to the premises, a notice of that charge shall be displayed in a prominent place at the principal entrance to the premises.
 - (2) In the case of any other charges in respect of gaming, a notice setting out the information in sub-paragraph (3) shall be displayed at the main point where payment for the charge is to be made.

- (3) The notice in sub-paragraph (2) shall include the following information:
 - (a) the cost (in money) of each game card (or set of game cards) payable by an individual in respect of a game of bingo;
 - (b) in respect of each game card (or set of game cards) referred to in paragraph (a) the amount that will be charged by way of a participation fee for entitlement to participate in that game; and
 - (c) a statement to the effect that all or part of the participation fee may be waived at the discretion of the person charging it.
 - (4) The notice may be displayed in electronic form.
 - (5) A reference in this paragraph to a charge in respect of gaming does not include an amount paid for an opportunity to win one or more prizes in gaming to which section 288 of the 2005 Act (meaning of "prize gaming") applies.
5. (1) The rules of each type of game that is available to be played the premises other than games played on gaming machines shall be made available to customers within the premises.
 - (2) The condition in sub-paragraph (1) may be satisfied by
 - (a) displaying a sign setting out the rules,
 - (b) making available leaflets or other written material containing the rules, or
 - (c) running an audio-visual guide to the rules prior to any bingo game being commenced.
 6. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.

Default conditions attaching to bingo premises licences

The conditions specified below shall be attached to bingo premises licences unless excluded by the licensing authority who issue the licence, in exercise of their powers under section 169(1)(b) of the 2005 Act.

1. Subject to paragraph 2, no facilities for gambling shall be provided on the premises between the hours of midnight and 9am.
2. The condition in paragraph 1 shall not apply to making gaming machines available for use.

C. ADULT GAMING CENTRES

Mandatory conditions attaching to adult gaming centre premises licences

The conditions specified below shall be attached to adult gaming centre premises licences.

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.
2. No customer shall be able to access the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.
3. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.
4. (1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.
 - (2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

D. FAMILY ENTERTAINMENT CENTRES

Mandatory conditions attaching to family entertainment centre premises licences

The conditions specified below shall be attached to family entertainment centre premises licences.

1. No customer shall be able to access the premises directly from any other premises in respect of which one of the following premises licences has effect—
 - (a) a casino premises licence;
 - (b) an adult gaming centre premises licence;
 - (c) a betting premises licence other than a track premises licence.

2. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.

3.
 - (1) Where Category C gaming machines are made available for use on the premises, any area of the premises in which those machines are located:
 - (a) shall be separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for the purpose;
 - (b) shall be supervised at all times to ensure children or young persons or both do not enter the area; and
 - (c) shall be arranged in such a way so as to permit all parts of the area to be observed by the persons mentioned in sub-paragraph (2).

 - (2) The reference to supervision in this paragraph means supervision by:
 - (a) one or more persons whose responsibilities include ensuring children or young persons or both do not enter the area; or
 - (b) closed circuit television which is monitored by one or more persons whose responsibilities include ensuring that children or young persons or both do not enter the area.

 - (3) A notice stating that no person under the age of 18 years is permitted to enter the area shall be displayed in a prominent place at the entrance to any area of the premises in which Category C gaming machines are made available for use.

4.
 - (1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.

 - (2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

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E. BETTING PREMISES (NOT TRACKS)

Mandatory conditions attaching to betting premises licences other than track premises licences

The conditions specified below shall be attached to betting premises licences other than track premises licences.

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.
2.
 - (1) Access to the premises shall be from a street or from other premises with a betting premises licence.
 - (2) Without prejudice to sub-paragraph (1), there shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services.
3. Subject to anything permitted by virtue of the 2005 Act, or done in accordance with paragraphs 4, 5, 6 and 7 below, the premises shall not be used for any purpose other than for providing facilities for betting.
4. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so.
5. No apparatus for making information or other material available in the form of sounds or visual images may be used on the premises, except for apparatus used for the following purposes;
 - (a) communicating information about, or coverage of, sporting events, including
 - (i) information relating to betting on such an event; and
 - (ii) any other matter or information, including an advertisement, which is incidental to such an event;
 - (b) communicating information relating to betting on any event (including the result of the event) in connection with which betting transactions may be or have been effected on the premises.
6. No publications, other than racing periodicals or specialist betting publications, may be sold or offered for sale on the premises.
7. No music, dancing or other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with paragraph 5.
8.
 - (1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.
 - (2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.
9. A notice setting out the terms on which customers are invited to bet on the premises shall be displayed in a prominent place on the premises to which customers have unrestricted access.

Default conditions attaching to betting premises licences other than track premises licences

1. The conditions specified below shall be attached to betting premises licences other than track premises licences unless excluded by the licensing authority who issue the licence, in exercise of their powers under section 169(1)(b) of the 2005 Act.
 - (a) No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day.

F. TRACK PREMISES

Mandatory conditions attaching to track premises licences

The conditions specified below shall be attached to track premises licences.

1. No customer shall be able to access the premises directly from any other premises in respect of which one of the following premises licences has effect
 - (a) a casino premises licence;
 - (b) an adult gaming centre premises licence.
2. A notice stating that no person under the age of 18 is permitted to bet on the premises shall be displayed in a prominent place at every public entrance to the premises.
3. The terms on which a bet may be placed must be displayed in a prominent place within the premises to which customers wishing to use facilities for betting have unrestricted access.
4. The premises licence holder shall make arrangements to ensure that betting operators who are admitted to the premises for the purpose of accepting bets
 - (a) will be operating under a valid operating licence; and
 - (b) are enabled to accept such bets in accordance with
 - (i) the conditions imposed under sections 92 (general betting operating licence) or 93 (pool betting operating licence) of the 2005 Act, or
 - (ii) an authorisation under section 94 (horse-race pool betting operating licence) of that Act.
5. The premises licence holder shall make arrangements to ensure that reasonable steps are taken to remove from the premises any person who is found to be accepting bets on the premises otherwise than in accordance with the 2005 Act.
6. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.

Mandatory Conditions attached to track premises licences that are horse-race courses

The conditions specified below shall be attached to track premises licences in respect of premises that are horse-race courses.

1. No customer shall be able to access the premises directly from any other premises in respect of which one of the following premises licences has effect—
 - (a) a casino premises licence;
 - (b) an adult gaming centre premises licence.
2. A notice stating that no person under the age of 18 is permitted to bet on the premises shall be displayed in a prominent place at every public entrance to the premises.
3. The terms on which a bet may be placed must be displayed in a prominent place within the premises to which customers wishing to use facilities for betting have unrestricted access.
4. The premises licence holder shall make arrangements to ensure that betting operators who are admitted to the premises for the purpose of accepting bets:
 - (a) will be operating under a valid operating licence; and
 - (b) are enabled to accept such bets in accordance with:
 - (i) the conditions imposed under sections 92 (general betting operating licence) or 93 (pool betting operating licence) of the 2005 Act, or
 - (ii) an authorisation under section 94 (horse-race pool betting operating licence) of that Act.
5. The premises licence holder shall make arrangements to ensure that reasonable steps are taken to remove from the premises any person who is found to be accepting bets on the premises otherwise than in accordance with the 2005 Act.
6. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.

7. (1) This paragraph shall apply to converted track premises licences in respect of premises that are horse-race courses.
 - (2) The licence holder shall ensure that in respect of any part of the track, which immediately before 1st September 2007 was made available for the purposes of complying with a condition imposed under section 13(2) of the 1963 Act (which provides for conditions to be imposed on a certificate under section 13 relating to the places which are to be provided for enabling betting to take place on the track), that part shall continue to be made available for the purposes of enabling betting operators and betting operators' assistants to use it for carrying on business in connection with providing facilities for betting.
 - (3) Sub-paragraph (2) is without prejudice to any application under section 187 of the 2005 Act (application to vary a premises licence) to change the location of the part of the track to which that sub-paragraph applies.
 - (4) Where such an application is granted, sub-paragraph (2) is to have effect as if it required the licence holder to ensure that the part of the track identified in the application as the new location for the area referred to in that sub-paragraph is made available for the purposes of enabling betting operators and betting operators' assistants to carry on business in connection with providing facilities for betting.
 - (5) References in this paragraph to an "existing betting area" are to any part of the track which is required to be made available in accordance with the preceding provisions of this paragraph for the purposes of enabling betting operators and betting operators' assistants to carry on business in connection with providing facilities for betting.
 - (6) The charge for admission to an existing betting area for the purposes of carrying on business in connection with providing facilities for betting shall not exceed:
 - (a) where payable by a betting operator, five times the cost of the highest charge paid by members of the public who are authorised to enter that part of the track; and
 - (b) where payable by a betting operator's assistant, the cost of the highest charge paid by members of the public who are authorised to enter that part of the track.
 - (7) A betting operator or betting operator's assistant shall not be charged, for admission to an existing betting area, an amount which differs from that charged to any other betting operator or betting operator's assistant for admission to that part of the track.
 - (8) No charges may be made to betting operators and betting operators' assistants who are admitted to the existing betting areas of the track, other than—
 - (a) the charge for admission in accordance with sub-paragraphs (6) and (7), and
 - (b) charges levied to cover costs reasonably incurred in connection with enabling betting operators and betting operators' assistants to operate in the existing betting area.
 - (9) This paragraph shall not apply after 31st August 2012.
8. (1) This paragraph shall apply to all track premises licences in respect of premises that are horse-race courses.
 - (2) The licence holder shall provide a place on the premises where betting operators and betting operators' assistants, including small-scale operators, may carry on business in connection with providing facilities for betting and to which the public may resort for the purpose of betting.
 - (3) The reference in this paragraph to "small-scale operators" shall have the same meaning as prescribed in The Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006(a).
 - (4) This paragraph shall not apply to converted track premises licences before 1st September 2012.
9. In this Part "converted track premises licence" means a premises licence issued in respect of a track where:

- (a) the holder of the licence held a certificate under section 13 of the 1963 Act, in respect of the same or substantially the same premises (referred to below as “the 1963 Act permission”);
- (b) the 1963 Act permission had effect immediately before 1st September 2007; and
- (c) the holder of the licence was granted the premises licence, under transitional provisions made under paragraph 9 of Schedule 18 to the 2005 Act, by reason of his holding the 1963 Act permission.

Mandatory Conditions attached to track premises licences that are dog-racing tracks

The conditions specified below shall be attached to track premises licences in respect of premises that are dog tracks.

1. No customer shall be able to access the premises directly from any other premises in respect of which one of the following premises licences has effect:
 - (a) a casino premises licence;
 - (b) an adult gaming centre premises licence.
2. A notice stating that no person under the age of 18 is permitted to bet on the premises shall be displayed in a prominent place at every public entrance to the premises.
3. The terms on which a bet may be placed must be displayed in a prominent place within the premises to which customers wishing to use facilities for betting have unrestricted access.
4. The premises licence holder shall make arrangements to ensure that betting operators who are admitted to the premises for the purpose of accepting bets:
 - (a) will be operating under a valid operating licence; and
 - (b) are enabled to accept such bets in accordance with:
 - (i) the conditions imposed under sections 92 (general betting operating licence) or 93 (pool betting operating licence) of the 2005 Act, or
 - (ii) an authorisation under section 94 (horse-race pool betting operating licence) of that Act.
5. The premises licence holder shall make arrangements to ensure that reasonable steps are taken to remove from the premises any person who is found to be accepting bets on the premises otherwise than in accordance with the 2005 Act.
6. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.
7. A totalisator on the premises shall only be operated:
 - (a) while the public are admitted to the premises for the purpose of attending dog races and no other sporting events are taking place on the premises; and
 - (b) for effecting with persons on the premises betting transactions on dog races taking place on the premises.
8. (1) At any time during which the totalisator is being lawfully used on the premises:
 - (a) no betting operator or betting operator’s assistant shall be excluded from the premises by reason only of the fact that he proposes to accept or negotiate bets on the premises; and
 - (b) there shall be made available on the premises space for betting operators and betting operators’ assistants where they can conveniently accept and negotiate bets in connection with dog races run on the premises on that day.

- (2) This paragraph is without prejudice to section 180 (pool betting on dog races) of the 2005 Act.
9. For the purposes of this Part, "totalisator" means the apparatus for betting known as the totalisator or pari mutuel, or any other machine or instrument of betting of a like nature, whether mechanically operated or not.

Default conditions attaching to track premises licences

The conditions specified below shall be attached to track premises licences unless excluded by the licensing authority who issue the licence, in exercise of their powers under section 169(1) (b) of the 2005 Act.

1. Subject to paragraph 2, no facilities for gambling shall be provided on the premises between the hours of 10pm on one day, and 7am on the next day.
2. The prohibition in paragraph 1 does not apply on days when a sporting event is taking place on the premises, in which case gambling transactions may take place at any time during that day.

WOKING BOROUGH COUNCIL

GAMBLING ACT 2005 – RESPONSIBLE AUTHORITIES

1	Licensing & Enforcement	Woking Borough Council	Civic Offices Gloucester Square	Woking	GU21 6YL
2	Gambling Commission	Victoria Square House	Victoria Square	Birmingham	B2 4BP
3	Police	Licensing Officer	Surrey Police, PO Box 101	Guildford	GU1 9PE
4	Surrey Fire and Rescue	Business Fire Safety Team	Headquarters Croydon Road	Reigate	RH2 0EJ
5	Head of Planning and Development	Woking Borough Council	Civic Offices Gloucester Square	Woking	GU21 6YL
6	Head of Environmental Services	Woking Borough Council	Civic Offices Gloucester Square	Woking	GU21 6YL
7	HM Revenue and Customs	National Registration Unit	Portcullis House 21 India Street	Glasgow	G2 4PZ

WOKING BOROUGH COUNCIL

NOTICE OF APPLICATION FOR A PREMISES LICENCE (Form A)

This notice is issued in accordance with regulations made under section 160 of the Gambling Act 2005

Notice is hereby given that:

[Give the full name of the applicant as set out in Part 2 of the application for a premises licence]

of the following address:

Postcode:

[Give the full address of the applicant as set out in Part 2 of the application for a premises licence]

the number of whose operating licence is

who applied for an operating licence on

[Delete as appropriate. Insert the reference number of the applicant's operating licence (as set out in the operating licence). Where an application for an operating licence is in the process of being made, indicate the date on which the application was made.]

has made an application for a

premises licence.

[Insert here the kind of premises licence being applied for]

The application relates to the following premises:

[Give the trading name to be used at the premises, and the address of the premises (or, if none, give a description of the premises and their location).]

The application for a premises licence has been made to the following licensing authority:

Postcode:

Website:

[Insert name of the licensing authority and the address of its principal office, followed by the address of its website]

Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application.

The following person connected with the applicant is able to give further information about the application:

[This entry is optional and is to be included if the applicant wishes to provide the name, telephone number and (if available) e-mail address of a person connected with the applicant who is able to answer questions and provide further information about the application.]

Any representations under section 161 of the Gambling Act 2005 must be made no later than the following date:

[Please insert last day on which representations may be made in relation to the application. The period for making representations is 28 days (inclusive) starting with the day on which the application for the premises licence was made to the licensing authority.]

GPN3

**WOKING BOROUGH COUNCIL
NOTICE OF APPLICATION FOR A PREMISES LICENCE (Form B)**

This notice is issued in accordance with regulations made under section 160 of the Gambling Act 2005

Notice is hereby given that the persons or organisations whose details are given in this notice have made an application for a

premises licence.

[Insert here the kind of premises licence being applied for]

The application relates to the following premises:

[Give the trading name to be used at the premises, and the address of the premises and a description of the premises and their location].

The application for a premises licence has been made to the following licensing authority:

Postcode:

Website:

[Insert name of the licensing authority and the address of its principal office, followed by its website]

Information about the application is available from the licensing authority, including the details for viewing the details of the application.

The following person connected with the applicant is able to give further information about the application:

[This entry is optional and is to be included if the applicant wishes to provide the name, telephone number and (if available) e-mail address of a person connected with the applicant who can answer questions and provide further information about the application.]

Any representations under section 161 of the Gambling Act 2005 must be made by the following date:

[Please insert last day on which representations may be made in relation to the application. The period for making representations is 28 days (inclusive) starting with the day on which the application for the premises licence was made to the licensing authority.]

Schedule of Applicants

The persons or organisations making the application are as follows:

Name of 1st Applicant:

[Give the full name of the applicant as set out in Part 2 of the application for a premises more than one applicant]

Address of 1st Applicant:

Postcode:

[Give the full address of the applicant as set out in Part 2 of the application for a premises more than one applicant]

The number of the operating licence held by 1st Applicant is:

The 1st Applicant applied for an operating licence on

[Delete as appropriate. Insert the reference number of the applicant's operating licence (the operating licence). Where an application for an operating licence is in the process, indicate the date on which the application was made.]

Name of 2nd Applicant:

[Give the full name of the applicant as set out in Part 2 of the application for a premises more than one applicant]

Address of 2nd Applicant:

Postcode:

[Give the full address of the applicant as set out in Part 2 of the application for a premises more than one applicant]

The number of the operating licence held by 2nd Applicant is:

The 2nd Applicant applied for an operating licence on

[Delete as appropriate. Insert the reference number of the applicant's operating licence (the operating licence). Where an application for an operating licence is in the process, indicate the date on which the application was made.]

[Where there are more than two applicants, also give the same information for applicants.]

WOKING BOROUGH COUNCIL

NOTICE OF APPLICATION FOR A PREMISES LICENCE UNDER THE
GAMBLING ACT 2005

Notice is hereby given that:

[Give the full name of the applicant(s)]

of the following address:

is/ are applying for a

premises licence under section 159 of the Gambling Act 2005. *[Insert kind of premises licence being applied for]*

The application relates to the following premises:

[Give the trading name to be used at the premises, and the address of the premises (or, if none, give a description of the premises and their location)]

The application has been made to:

[Specify the name of the licensing authority to which the application has been made]

Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application.

Any of the following persons may make representations in writing to the licensing authority about the application:

- A person who lives sufficiently close to the premises to be likely to be affected by the authorised activities
- A person who has business interests that might be affected by the authorised activities
- A person who represents someone in any of the above two categories.

Any representations must be made by the following date:

It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.